

## **KANSAS DENTAL BOARD**

### **Notice of Hearing on Proposed Amendment To Administrative Regulation**

A public hearing will be conducted at 9:00 a.m. on Friday, April 25, 2014, in Room B of the DCF Learning Center, 2600 SW East Circle Drive South, Topeka, 66606, to consider the adoption of a proposed permanent amendment to an administrative regulation of the Kansas Dental Board.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment. All interested parties may submit written comments prior to the hearing to the Kansas Dental Board, 900 SW Jackson, Room 564-S, Topeka, 66612, or by e-mail to [Lane.Hemsley@dental.ks.gov](mailto:Lane.Hemsley@dental.ks.gov). All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Lane Hemsley at (785) 296-4690 or [Lane.Hemsley@dental.ks.gov](mailto:Lane.Hemsley@dental.ks.gov). There are two parking lots available. One is immediately south of the building and the other is located across the street. Handicapped parking is also located immediately south of the building.

Copies of the proposed regulation and economic impact statement may be viewed at the following web site: [www.dental.ks.gov](http://www.dental.ks.gov). A summary of the proposed regulation follows:

**71-4-1. Continuing education credit hours and basic cardiac life support certificate required for renewal of license of dentist and dental hygienist.** The proposed amendment would require dentists to obtain at least two hours of continuing education in ethics as part of the 60 hours already required during each license renewal cycle. It would also require dental hygienists to obtain at least one hour of continuing education in ethics as part of the 30 hours already required during each license renewal cycle.

**KANSAS DENTAL BOARD  
ECONOMIC IMPACT STATEMENT  
K.A.R. 71-4-1**

**1. Summary of Proposed Regulation, Including Its Purpose.**

Over the last few years, the Kansas Dental Board has continued to see an increase in the number of dental and dental hygiene licensees who have received complaints from the public or dental peers that center on the failure to maintain a variety of broad ethical obligations, such as honesty and integrity. The complaints include, but are not limited to, alleged and verified violations of the following provisions of the Board's disciplinary statute: K.S.A. 65-1436(a)(1) (committed fraud, deceit, or misrepresentation in obtaining any license, money, or other thing of value); and K.S.A. 65-1436(a)(17) (submitting any misleading, deceptive, untrue, or fraudulent misrepresentation on a claim form, bill, or statement). In an effort to consistently reinforce the ethical obligations of dental and dental hygiene licensees to the public and dental peers, the Board determined that requiring continuing education in ethics is an appropriate measure. Other professions already require continuing education hours for licensees during each license renewal cycle (e.g., accountants and attorneys). Accordingly, the Board seeks to require that each dentist obtain two hours of ethics during each license renewal period and each dental hygienist obtain one hour of ethics during each license renewal cycle.

**2. Reason or Reasons the Proposed Regulation Is Required, Including Whether or Not the Regulation is Mandated by Federal Law.**

As noted above, the Board seeks to ensure that each dental and dental hygiene licensee is consistently required to obtain education in ethics during each license renewal cycle. The regulation is not mandated by federal law and, therefore, the regulation does not exceed the requirements of federal law.

**3. Anticipated Economic Impact upon the Kansas Dental Board.**

The Board does not anticipate any economic impact. The Board already accepts continuing education courses that are approved through the American Dental Association (ADA), the Academy of General Dentistry Program Approval for Continuing Education (PACE), and a large number of other nationally recognized dental continuing education programs. The Board office also accepts applications for approval of a variety of continuing education courses. There is no fee for requesting or obtaining Board approval of continuing education courses.

**4. Anticipated Economic Impact upon Other Governmental Agencies and upon Private Business or Individuals.**

The Board does not anticipate an economic impact upon other governmental agencies, private business, or individuals. No other governmental agencies will be engaged. Private dental continuing education businesses already offer continuing education courses across an array of dental topics, including ethics. Dentists are already required to obtain a total of 60 hours of continuing education during each license renewal cycle. At least two of those hours will now be in ethics. Similarly, dental hygienists are already required to obtain a total of 30 hours of continuing education during each license renewal cycle. At least one of those hours will now be in ethics. Consequently, no additional costs are expected for the licensees to acquire continuing education in ethics as part of the license renewal process.

**5. Less Costly or Intrusive Methods That Were Considered, but Rejected, and the Reason for Rejection.**

No other methods were considered or rejected.

**71-4-1. Continuing education credit hours and basic cardiac life support certificate required for renewal of license of dentist and dental hygienist.** (a) Each licensee shall submit to the board, with the license renewal application, a current “basic cardiac life support for the health care provider” certificate from the American heart association or a current certificate deemed equivalent by the board from a provider approved by the board. The continuing education hours for either certificate may be applied to the continuing education requirement specified in subsection (b). Any dentist licensee who holds a specialist certificate may consider these continuing education hours as pertaining to that licensee’s specialty hour requirement.

(b) Each dentist licensee shall submit to the board, with the license renewal application, evidence of satisfactory completion of at least 60 hours of continuing education courses that qualify for credit. At least two of these hours shall be in ethics. Each dentist licensee who holds a specialist certificate shall provide evidence satisfactory to the board that at least 40 of the required 60 hours of continuing education are in courses in the specialty for which the licensee holds a specialist certificate. Each required course hour shall be completed in the 24-month period immediately preceding the date of expiration of the license. The term “courses” as used in this article shall include courses, institutes, seminars, programs, and meetings.

(c) Each dental hygienist licensee shall submit, with the license renewal application, evidence of satisfactory completion of at least 30 hours of continuing dental education courses that qualify for credit. At least one of these hours shall be in ethics. Each course shall have been completed in the 24-month period immediately preceding the date of expiration of the dental hygienist license.

(d) An extension of time to complete a continuing education requirement may be granted by the board if it finds that good cause has been shown. (Authorized by K.S.A. ~~2010~~ 2013 Supp.

65-1431 and K.S.A. 74-1406; implementing K.S.A. ~~2010~~ 2013 Supp. 65-1431; effective May 1, 1978; amended May 1, 1986; amended March 27, 1989; amended Dec. 27, 1996; amended Feb. 20, 2004; amended Jan. 6, 2012; amended P-\_\_\_\_\_.)